

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Sikora et al.

Serial No. 10/762,241

Filed: January 23, 2004

For: THE USE OF CROSS-PROTECTION TO IDENTIFY  
NOVEL VACCINE CANDIDATES FOR INFECTIOUS  
AGENTS



Atty. Ref.: 3929-5

Group: 1632

Examiner: Unassigned

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 6, 2004

Sir:

**INFORMATION DISCLOSURE STATEMENT**

- ☒ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits]  
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
N/C
- ☐ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment]  
\$180.00

The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith.

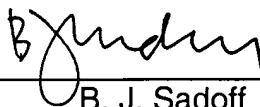
This paper is submitted in accordance with:

- ☒ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☐ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- ☐ a) The required Statement made in item 8 below; or
- ☐ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
- ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
- ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
- ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By: \_\_\_\_\_



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**INFORMATION DISCLOSURE  
CITATION**

ATTY. DOCKET NO.

SERIAL NO.

3929-5

10/762,241

APPLICANT

Sikora et al.

FILING DATE

GROUP

January 23, 2004

1632

MAY 06 2004

(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

	Stewart, <i>Francisella</i> , Chapter 43, Manual of Clinical Microbiology, Fifth Edition, pp 454-456
	Franz et al, Clinical Recognition and Management of Patients Exposed to Biological Warfare Agents, JAM, August 6, 1997, Vol. 278, No. 5, pp 399-411
	Evans et al, Tularemia, Chapter 24, Medical Aspects of Chemical and Biological Warfare, pp 504-512
	Cherwonogrodzky et al, Increased encapsulation and virulence of <i>Francisella tularensis</i> live vaccine strain (LVS) by subculturing on synthetic medium, Vaccine 1994, Vol. 12, No. 9, pp 773-775
	Corbel, Recent Advances in the Study of Brucella Antigens and their Serological Cross-Reactions, Veterinary Bulletin, Commonwealth Agricultural Bureaux, December 1985, Vol. 55, No. 12, pp 927-942
	Abstracts, 4. Medizinische B-Schutz-Tagung des BMVg, am 22. und 23. Oktober 1997
	Golovliov et al, Adjuvanticity of ISCOMs incorporating a T cell-reactive lipoprotein of the facultative intracellular pathogen <i>Francisella tularensis</i> , Vaccine, 1995, Vol. 13, No. 3, pp 251-267
	Hood, Virulence factors of <i>Francisella tularensis</i> , Journal of Hygiene, 1977, Vol. 79, No. 1, pp 47-60 (with 5 plates)
	Ancuta et al, Inability of the <i>Francisella tularensis</i> Lipopolysaccharide to Mimic or to Antagonize the Induction of Cell Activation by Endotoxins, Inspection and Immunity, June 1996, Vol. 64, No. 6, pp-2041-2046
	Conlan et al, Mice vaccinated with the O-antigen of <i>Francisella tularensis</i> LVS lipopolysaccharide conjugated to bovine serum albumin develop varying degrees of protective immunity against systemic or aerosol challenge with virulent type A and type B strains of the pathogen, Vaccine 20 (2002), pp 3465-3471
	Cherwonogrodzky, Factors Controlling Haemolysin Production in <i>Vibrio Parahaemolyticus</i> , 1983, pp 161-162

*Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)